

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/31/12

Glen E. Gentry  
Signature

Glen E. Gentry  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Guss Guarino, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2-20-13

  
Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: trustee of

(Title)

GIBERTI TRUST AGREEMENT 07-28-2008

(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney G. Guarino with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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Date: 1-3-13

Kenneth C. Hancock  
Signature

KENNETH C. HANCOCK  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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Date: 12/17/12

Frederick W Harris Jr.  
Signature

Frederick W Harris Jr  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: Trustee of  
(Title)

Harris Revocable Family Trust  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



B:73-cv-127

QRM

December 22, 2012

RE: United States V Walker River Irrigation Dist., et al., In Equity No.  
C-125; Subfile C-125B

I feel that I have no interest in this case. I own a one acre lot with a home on it parcel #001-240 -008-000. I have a well that supply water for my home, garden, trees and lawn other than that I do no irrigation.

There is an irrigation ditch that crosses my property but I have no right to the water that is in it.

The ditch has a deeded easement across my property but I can not use any of the water in it.

Sincerely,



Fredrick W Harris Jr.  
Trustee for the  
Harris Revocable Family Trust

1  
2  
3 **IN THE UNITED STATES DISTRICT COURT**  
4 **FOR THE DISTRICT OF NEVADA**

5 **UNITED STATES OF AMERICA,**

6 Plaintiff, ) In Equity No. C-125-ECR  
7 ) Subfile No. C-125-B

8 **WALKER RIVER PAIUTE TRIBE,**

9 Plaintiff-Intervenor, )

10 **DISCLAIMER OF INTEREST IN**  
11 **WATER RIGHTS AND NOTICE OF**  
12 **RELATED INFORMATION AND**  
13 **DOCUMENTATION SUPPORTING**  
14 **DISCLAIMER**

15 v.

16 **WALKER RIVER IRRIGATION**  
17 **DISTRICT,**  
18 **a corporation, et al.,**

19 Defendants. )

20  
21 The undersigned counter-defendant in the above action hereby notifies the Court and the  
22 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has  
23 no interest in any water right within the categories set forth in Paragraph 3 of the Case  
24 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

25 This disclaimer and notice shall be sent to the following two persons:

26 Linda Lea Sharer, Chief Deputy Clerk  
27 United States District Court for the District of Nevada  
28 400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4



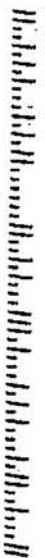
Mr Harris  
P.O. Box 85  
Topaz Ca 96133

19 DEC 2012 PM 3 L



Linda Lea Sharer Christ Deputy Clerk  
United States District Court  
400 South Virginia Street Suite 301  
Reno NV 89501

0950172195



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER**

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

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United States District Court for the District of Nevada  
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Reno, NV 89501

And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s):

Our Land IS NOT

8 Street or P.O. Box:

Riparian to

9 Town or City:

10 State:

tributaries OR

11 Zip Code:

the Walker River

12 2. The name and address of each person or entity who acquired ownership

13 Name(s):

14 Street or P.O. Box:

15 Town or City:

16 State:

17 Zip Code:

N/A

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5 ☐ Deed  
6 ☐ Court Order  
7 ☐ Other Document.  
8  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this 08 day of JAN 20 13  
17  
18  
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20

21 [signature of counter-defendant]

22  
23 *Aileen M. Hein*  
24  
25 *William Hein*  
26

27 [name of counter-defendant]  
28



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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

116851 Hwy 395  
TOPAZ, CA 96133  
[telephone number]

530-495-2682

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1-7-13

  
Signature

Magdalena Hernandez  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 1-7-13

Maria Hernandez

Signature

Maria Hernandez

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
MAR 21 2013	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>NO COPY</u>	DEPUTY

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR

Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER**

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s):

8  
9 Street or P.O. Box: NA

10  
11 Town or City:

12  
13 State:

14  
15 Zip Code:

16 2. The name and address of each person or entity who acquired ownership  
17

18  
19 Name(s):

20  
21 Street or P.O. Box: NA

22  
23 Town or City:

24  
25 State:

26  
27 Zip Code:  
28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

☐ Deed

☐ Court Order

☒ Other Document

Letter to Susan Schneider from Dave Hillman, Dated 3/18/2013  
 Subject: "United States v Walker River Irrigation Dist. ..."  
 by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 18<sup>th</sup> day of March 20 13



[signature of counter-defendant]

Hillman Family Trust  
 PO Box 6  
 181 Charley Day Drive  
 Bridgeport, CA 93517

[name of counter-defendant]

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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

PO Box 6  
181 Charley Day Drive  
Bridgeport, CA 93517

[address]

(760) 932-1000  
or  
(714) 998-5209  
[telephone number]



38-08.859N, 119-20.926W  
USNG 11S KC 9418 2480  
Map data ©2013 Google



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**<< Back To Store**

## Abstract

**2010年12月25日**

2002

1. The following are the steps in the process of a company's strategic planning:

### References

$$f_{\text{max}} = \frac{1}{2\pi} \sqrt{\frac{1}{L C_{\text{eq}}}}$$

## Map Locator & Downloader

POI Disclaimer on Google Maps API

Don't see the Map Locator & Downloader? [Help](#) | Having trouble? Call: 1-888-ASK-USGS (1-888-275-8747, Select Option 2) or Write: [usgsstore@usgs.gov](mailto:usgsstore@usgs.gov) for help.

**Search:**

Address or Place 

**Go**

[\[Search Help\]](#)

**O**

Find a place on the map [\[Navigation Help\]](#)

## NAVIGATE:

Double click to re-center, click and drag to pull the map around, zoom in and out.

● MARK POINTS:

Click on a place to add a marker .


**NOTES:**

NOTES:  
Switch between Navigate and Mark Points at any time.

The following map footprints appear when you are in the Mark Points mode and zoomed in:

7.5 and 15 Minute

**SELECT AND GET YOUR MAPS:**

Click marker  to see an information bubble showing maps available, then click on "order", "download", or add maps your download cart.

[View Download Cart](#)

### Clear Markers

### Reset Map

**Show US Topo**

38-09.352N, 119-20.952W  
USNG 11S KC 9417 2571  
Map data ©2013 Google

Map data ©2013 Google

terra



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Page Last Modified: May 17, 2012



Search: Address or Place  Go [\[Search Help\]](#) or Find a place on the map [\[Navigation Help\]](#)





**NAVIGATE:**  
Double click to re-center, click and drag to pull the map around, zoom in and out.

**MARK POINTS:**  
Click on a place to add a marker .

**NOTES:**  
Switch between Navigate and Mark Points at any time.

The following map footprints appear when you are in the Mark Points mode and zoomed in:

7.5 and 15 Minute 

**SELECT AND GET YOUR MAPS:**  
Click marker  to see an information bubble showing maps available, then click on "order", "download", or add maps your download cart.

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[Show US Topo](#)

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Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 21 of 48

SA Imagery Map. This map presents nationwide imagery for the United States down to 1m or better resolution assembled from a variety of governmental and commercial sources.



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User community



You may contact me as follows:

Summer: Dave Hillman  
181 Charley Day Drive  
PO Box 6  
Bridgeport, CA 93517-0006  
(760) 932-1000  
[DaveHillman@msn.com](mailto:DaveHillman@msn.com)

Winter: Dave Hillman  
5209 Rolling Hills Drive  
Anaheim Hills, CA 92807  
(714) 998-5209  
[DaveHillman@msn.com](mailto:DaveHillman@msn.com)

Thanking you for your consideration and help,



Dave Hillman, Trustee, FBO Hillman Family Trust UAD 6/22/2001

Cc: Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

Stacey Simon, Assistant county Counsel  
Mono County, California  
PO Box 2415  
Mammoth Lakes, CA 93546

3/18/2013

Susan L. Schneider  
Attorney for Plaintiff, United States of America  
US Department of Justice  
999 18<sup>th</sup> Street  
South Terrace – Suite 370  
Denver, CO 80202

Subject: United States v Walker River Irrigation Dist., et al., In Equity No. C-125; Subfile C-125-B

Attachments: (A) Disclaimer Of Interest In Water Rights  
(B) Google Wide View Map, 181 Charley Day Drive  
(C) Google Close View Map, 181 Charley Day Drive  
(D) Google Close Hybrid View, 181 Charley Day Drive  
(E) USA Imagery Map, 181 Charley Day Drive

Dear Ms. Schneider,

I am contacting you regarding the Subject lawsuit. My property is 181 Charley Day Drive, Bridgeport, CA 93517. Its Legal Description is "Twin Lakes Subdivision, Lot 2, Block T". It is Parcel Number 010332010000.

My property is not riparian. I have no water rights. No body of water flows through my property, stands on my property or is adjacent to my property. There are no irrigation or drainage ditches on my property. Given this information, I believed that the Subject lawsuit paperwork was sent to me in error (the paperwork was received in late February after having been misdirected multiple times by the Post Office in the forwarding process). Since I believed the sending of this lawsuit paperwork to be in error, on 3/14/2013 I contacted Ms. Stacey Simon, Assistant County Counsel, Mono County, California. Ms. Simon investigated the matter and on 3/18/2013 informed me that she concluded my property should not have been included in the lawsuit; its inclusion was an error.

Accordingly, I am filing a Disclaimer Of Interest In Water Rights which is Attachment (A). To orient you to my physical property, I am also attaching Attachments (B) through (E). My property is surrounded on all sides by private property owned by others. The only property that is riparian and adjacent to mine in these map views is the property immediately south of mine; it is adjacent to Upper Twin Lake and is owned by Twin Lakes Enterprises.

Attachments (B) and (C) show wide and close views respectively of my property on a Google standard map format; my property location is indicated by the red marker. Attachment (D) shows a hybrid Google satellite/map view of my property with my property again shown by a red marker. Attachment (E) shows an Ersi view of my property compiled from multiple government data bases; my home is the one with the large bright green roof.

Please remove my name and property from the list of parties having an interest in the Subject water rights lawsuit, and also please notify me when this action is completed.



U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

2013 JAN 15 PM 2:42

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Dec 31, 2012

Cynthia A. Hindes  
Signature

Cynthia A. Hindes  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of (Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/23/12

Kathleen G. Hoffmann  
Signature

KATHLEEN A HOFFMANN  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
DEC 28 2012	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER**

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider	Susan L. Schneider
United States Department of Justice	United States Department of Justice
P.O. Box 756	999 18th Street
Littleton, CO 80160	South Terrace - Suite 370
	Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s): KATHLEEN A HOFFMANN

8  
9 Street or P.O. Box: 25669 HWY 6 PMB #H

10  
11 Town or City: BENTON

12  
13 State: CA.

14  
15 Zip Code: 93512-9998

16 2. The name and address of each person or entity who acquired ownership

17  
18 Name(s): CO-OWNER (WITH MY HUSBAND WALTER M  
19 HOFFMANN)

20 OF LOT #10, BLOCK A, SUBDIVISION #3  
21 STREET OR P.O. BOX: VIRGINIA AKS. CA.

22  
23 Town or City:

24  
25 State:

26  
27 Zip Code:

28  
DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

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3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5 ☐ Deed  
6 ☐ Court Order  
7 ☐ Other Document.  
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9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this 23 day of DECEMBER 20 12

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19 My property is not  
20 riparian to creek  
21 and was  
22 included in  
23 error.  
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Kathleen A. Hoffman  
[signature of counter-defendant]

[name of counter-defendant]

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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

[telephone number]



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/23/12

Walter M Hoffmann  
Signature

WALTER M HOFFMANN  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL PARTIES OF RECORD	
DEC 28 2012	
BY: _____	DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER**

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. ~~The name and address of the party or parties who sold or otherwise conveyed~~  
6 ~~ownership:~~

7 Name(s):

WALTER M HOFFMANN

8  
9 Street or P.O. Box:

25669 HWY 6 PMB # H

10  
11 Town or City:

BENTON LA

12  
13 State:

CA

14  
15 Zip Code:

93512-9998

16  
17 2. ~~The name and address of each person or entity who acquired ownership~~

18  
19 Name(s):

CO-OWNER (WITH MY WIFE

KATHLEEN A. HOFFMANN)

20  
21 Street or P.O. Box:

OF LOT #10, BLOCK A, SUBDIVISION #3  
VIRGINIA LKS, CA.

22  
23 Town or City:

24  
25 State:

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27 Zip Code:



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3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

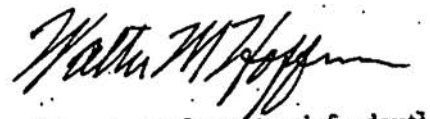
- 5 ☐ Deed  
6 ☐ Court Order  
7 ☐ Other Document.  
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10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this 23 day of DECEMBER 20 12

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*My property is not superior  
to creek and was included  
in error*

  
[signature of counter-defendant]

[name of counter-defendant]

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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

[telephone number]

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

Defendants.

In Equity No. C-125-ECR  
Subfile No. C-125-B

NOTICE OF CHANGE OF  
OWNERSHIP OF WATER RIGHT

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s)

George Hughes

Street or P.O. Box

1529 Fawnhaven Way



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Town or City State Zip Code  
Lodi CA 95240  
2. The name and address of each person or entity who acquired ownership

Name(s)  
Grace Menesini  
Street or P.O. Box  
221 W. Virginia Street

Town or City State Zip Code  
Yerington NV 89447

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☐ Deed  
☐ Court Order  
☐ Other Document

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

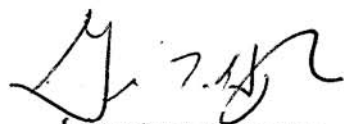
And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.

Executed this 28 day of January 20 13



[signature of counter-defendant]

George Hughes

[name of counter-defendant]

[signature, if applicable, of person acting on behalf of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

[address]

[telephone number]

Division #: 1

WALKER RIVER IRRIGATION DISTRICT

YERINGTON, NEVADA

Water Right Owner:

Index No.

Card #: 24300

Name: Grace Menesini

Address:

Address: 221 W. Virginia St.

Yerlington NV 89447

O. & M. Local No. 2

Lyon County No. 1429110

Claim No.

User #

1001 Campbell

Court Decree:

PRIORITY	C.F.S.	ACRES	FACTOR	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGE/PORT RES. ACRE FEET	CLAIM #	TOTAL ACRES
NEWL		1.060	3.2076	65	1.5444	1.640	1.64	1.13	.51		1.060
TOTAL		1.060				1.640					1.060

PROVISIONAL

LEGAL DESCRIPTION:

Tr. SE 1/4 of NE 1/4, Sec. 28;  
T 14 N - R 25 E.

COMMENTS:

8/20/07 - Changed address  
5/31/12 - Removed George and Eva Hughes

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#4920	06/22/73	Eva Hughes to George, Joyce, & Eva Hughes and Grace Menesini.
#20613	07/22/88	George, Joyce & Eva Hughes and Grace Menesini to George Hughes, Eva Hughes, and Grace Menesini.
#491517	05/22/12	Affidavit Death of Joint Tenant - Eva Huges, deceased
#491518	05/22/12	George Hughes and Robin Hughes, husband and wife who acquired title as George Hughes, a married man and Grace Menesini who acquired title as Grace Menesini, a married woman to Grace Menesini, an unmarried woman



APN 14-291-10  
Order No. TSL-36317

WHEN RECORDED MAIL TO:

GEORGE HUGHES  
1529 FAWNHAVER WAY  
LODI, CA 95240

**DOC # 491517**

05/22/2012 04:27 PM

**Official Record**

Requested By  
TITLE SERVICE & ESCROW

Lyon County - NV

Mary C. Milligan - Recorder

Page 1 of 3 Fee: \$16.00

Recorded By: DLW RPTT:



The undersigned hereby affirms that this document  
submitted for recording contains the social security  
number of a person or persons as required by law:  
NRS 440.380 and 440.385.

SPACE ABOVE FOR RECORDER'S USE

**STATEMENT OF DEATH OF JOINT TENANT**

STATE OF NEVADA )

) ss.

COUNTY OF LYON )

George Hughes of legal age, being first duly sworn, deposes and says:  
THAT the deceased mentioned in the attached certified copy of  
Certificate of Death, is the same person as EVA C. HUGHES, A WIDOW  
named as one of the parties in that certain Grant Deed dated July 22<sup>nd</sup>,  
1988 executed by George Hughes, Joyce Atkins, Grace Menesini and Eva C  
Hughes to George Hughes, a married man and Grace Menesini, a married  
woman and Eva C. Hughes, a widow as Joint Tenants and recorded in the  
Official Records of Lyon County, Nevada, on November 28, 1988 as No.  
120613 and covering all of that certain real property described as  
follows:

A parcel of land located in the SE 1/4 of the NE 1/4 of Section  
28, T 14 N, R 25 E, M.D.B.&M., in Lyon County, Nevada, described  
as follows:

Beginning at the Southeast corner of the parcel which is located at  
0°19'30" E, 214.79 feet and N 89°40'30" W, 285.00 feet from the  
East one quarter corner of said Section 28; thence N 2°38'06" E,  
205.27 feet; thence N 89°51'29" W, 220.00 feet; thence S 0°19'30"  
W, 205.00 feet; thence S 89°51'29" E, 230.60 feet to the point of  
beginning.

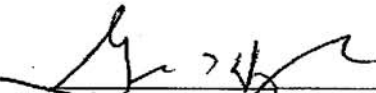


491517

05/22/2012  
002 of 3


Legal Description appeared previously in Document No. 0120613,  
recorded on November 28, 1988, Official Records of Lyon County,  
Nevada.

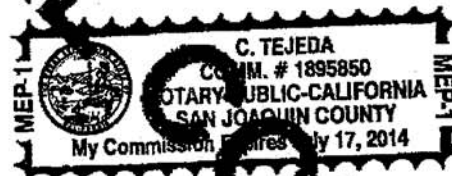
Dated 5/05/2012

  
\_\_\_\_\_  
GEORGE HUGHES

STATE OF California  
COUNTY OF San Joaquin

Subscribed and Sworn to before me on May 5 2012, by  
George Hughes.

  
\_\_\_\_\_  
Notary Public





STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS  
CERTIFICATE OF DEATH

998

99 004352

STATE FILE NUMBER

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

EXHIBIT 203



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2/15/2013

Glen E. Hummel  
Signature

Glen Edward Hummel  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: 2-15-2013

*Kerry A Hummel*  
Signature

*Kerry Ann Hummel*  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

*Attn: Eileen*

*Thank you Julie A Swafford Jones*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s):

8  
9 Street or P.O. Box:

10  
11 Town or City:

12  
13 State:

14  
15 Zip Code:

16 2. The name and address of each person or entity who acquired ownership  
17

18  
19 Name(s):

20  
21 Street or P.O. Box:

22  
23 Town or City:

24  
25 State:

26  
27 Zip Code:  
28

*Inherited  
From Father*

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5 ☐ Deed  
6 ☒ Court Order  
7 ☐ Other Document.  
8  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_  
17  
18  
19  
20

21 [signature of counter-defendant]  
22  
23  
24

25 [name of counter-defendant]  
26  
27  
28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

*Julie A Swokard Jones*

[address]

535 S. 21<sup>st</sup> Ave  
Sandpoint Id  
83864

[telephone number]

208-263-8401



U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

2012 DEC 20 PM 4:29

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 12/16/2012

Sandra King  
Signature  
Sandra King  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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